



Fair Housing and LGBTQ Fair Housing Rights SPECTRUM

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Fair Housing Laws

- Civil rights laws promoting “equal access” to housing
- Makes it illegal for housing providers to **discriminate** against certain groups known as protected classes
- Different from landlord-tenant law



Federal Protected Classes

- Race
- Color
- National Origin
- Religion
- Gender
- Familial Status
(families with
children)
- Disability





Oregon Protected Classes

- **Marital Status**
- **Source of Income**
 - TANF, SSD, SSI
 - Section 8
 - Agency rent payments
- **Sexual Orientation/Gender Identity**
- **Domestic Violence survivors**
- **Mult Co + Beaverton: occupation & age over 18**



Issues

- **Refusing to rent, sell or finance to someone based on their gender identity/sexual orientation**
- **Giving out false or inconsistent information to someone based on their gender identity/sexual orientation**
- **Harassment based on gender identity/sexual orientation**

Harassment

- When is harassment a Fair Housing issue?
- Almost a third of all acts of hate and harassment happen in housing
- National uptick in harassment against protected classes
- Only 1 in 15 acts of hate and harassment are ever reported





Housing Provider Responsibilities

Language from 2016 HUD Ruling on Harassment

- **“Corrective action may include verbal and written warnings, enforcing lease provisions to move, evict, or otherwise sanction tenants who harass or permit guests to harass.”**
- **“Housing provider should follow up to make sure the corrective action was effective.”**
- **“Liability arises when the person/entity knew or should have known that a resident was harassing another resident and yet, did not take prompt action to correct and end it.”**

Forms of Harassment

- **Words - especially if threat and/or continuing**
- **Actions (spying, touching, leaving derogatory messages on car, etc.)**
- **Emails, texts, social media**
- **Displaying hate symbols (swastikas, etc.)**
- **In most cases, more than one incident, severe**





Harassment Based on Protected Class

- Neighbor of lesbian couple harassing and leaving dog poop on porch of mobile home
- Upstairs neighbors harassing gay man in downstairs apartment





If the Harassment IS a Fair Housing Issue

- **Housing provider should:**
 - Investigate and document
 - **Take prompt corrective** action - warning, notice
 - Document every step of the way
 - Follow up with victim
 - Failure to act violation of FHA





Preventing Harassment

- **Advisable for housing providers to have resident on resident harassment policy and review it at move in**
- **Use tools like newsletters etc. to educate tenants about harassment policies and reporting**



Best Practices

- **Ask a person their name and pronouns in interpersonal interaction**
- **Promote a safe environment with zero tolerance of harassment**
- **As with everything, focus on the behavior of the tenant rather than on any stereotypic assumptions**



Best Defense

- **Consider your unconscious bias**
- **Treat everyone the same**



Contact the Fair Housing Council of Oregon for More Information

Housing Provider Questions?

information@fhco.org

(800) 424-3247 Ext. 5

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